

STATE OF NEW MEXICO
COUNTY OF SAN MIGUEL
IN THE DISTRICT COURT

D-412-SW-2015-1

IN THE MATTER OF
STATE OF NEW MEXICO,

Plaintiff,

ENDORSED
Fourth Judicial District Court
San Miguel, Mora & Guadalupe

JUN 26 2015

VS.

NAME: John Paul Vigil

DOB: [REDACTED]

SSN: [REDACTED]

ADD: [REDACTED]

Las Vegas, NM 87701

District Court Clerk
Deputy Clerk

Case # 15-123897

Defendant,

SEARCH WARRANT

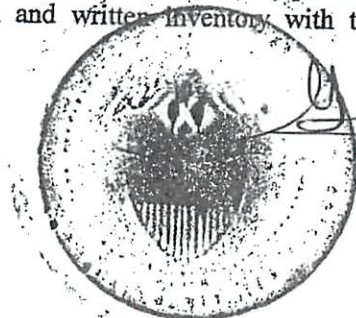
THE STATE OF NEW MEXICO TO ANY OFFICER AUTHORIZED TO EXECUTE
THIS WARRANT:

Proof by Affidavit for Search Warrant, having been submitted to me, I am satisfied that there is probable cause that the person named or property described in the Affidavit is located where alleged in the Affidavit and I find grounds exist for the issuance of the Search Warrant. A copy of the Affidavit is attached and made a part of this Warrant.

YOU ARE HEREBY COMMANDED to search forthwith the person or place in the Affidavit between the hours of 6:00 a.m. and 10:00 p.m., unless I have specifically authorized a nighttime search, for the person or property described in the Affidavit, serving this Warrant together with a copy of the Affidavit, and making the search and if the person or property be found there, to seize the person or the property and hold for safekeeping until further order of the Court.

You are further directed to prepare a written inventory of any person or property seized. You are further directed to file the return and written inventory with the Court promptly after its execution.

6/26/15
Date



Judge



SMC 000371

STATE OF NEW MEXICO
COUNTY OF SAN MIGUEL
IN THE DISTRICT COURT

JUDICIAL DISTRICT COURT
SAN MIGUEL, MORA & GUADALUPE
FILED IN MY OFFICE

2015 JUN 26 AM 11:17
D-412-SW-2015-1

IN THE MATTER OF
STATE OF NEW MEXICO,

Plaintiff,

vs.

NAME: John Paul Vigil

DOB: [REDACTED]

SSN: [REDACTED]

ADD: [REDACTED]

Las Vegas, NM 87701

Defendant,

Case # 15-123897

AFFIDAVIT FOR SEARCH WARRANT

Affiant, being duly sworn, upon his oath, states and I have reason to believe that on the following described premises, vehicle(s) and/or person(s) of:

1. The blue in color work locker labeled "John Vigil" of John Paul Vigil, located at 3695 Hot Springs Blvd (New Mexico Behavioral Health Institute), inside Mesa Cottage.

In the city or county designated above there is now being concealed:

Affiant, being duly sworn, upon his oath, states that I have reason to believe that on the following described premises or person of:

Possession of a Controlled Substance

1. Controlled Substances in unknown quantities of prescription medication and other types of controlled substances listed in schedules one through five of the controlled substances act;
2. United States Currency
3. Indicia of ownership of the above described and residence, including, but not limited to, rental, purchase or lease agreements, utility bills, titles, registration documents and keys;

And the facts tending to establish the grounds for issuance of a search warrant are as follows:

On June 5th, 2015 at approximately 10:00 a.m., I was dispatched to 3695 Hot Springs Blvd. (New Mexico Behavioral Health Institute) in reference to possible larceny of narcotics. Upon my arrival on scene I made contact with Security Supervisor, Joe Chavez, who advised me that Frances Tweed had received an anonymous letter stating an NMBHI employee was stealing medication and money from patients currently being treated at NMBHI. Ms. Tweed is the executive nurse administrator for NMBHI. Ms. Tweed provided me with a copy of the anonymous letter. The letter alleged that Psych Tech Supervisor, John Vigil, had money and prescription narcotics belonging to various patients at NMBHI, locked inside of his desk.

On June 5th, 2015 Myself and Deputy Sean Armijo executed a search warrant on J. Vigil's desk and surrounding work area. During the course of the warrant, Ativan, a scheduled narcotic was located and seized, along with a substantial amount of money possibly belonging to NMBHI patients. Other medication belonging to NMBHI patients that are not scheduled narcotics, were also located during the course of the warrant.

On June 19th, 2015 at approximately 11:00 a.m., I was advised by Ms. Frances Tweed that a secondary anonymous letter had come in with more allegations against J. Vigil. See EXHIBIT A. The anonymous letter stated J. Vigil had two other lockers in different areas of NMBHI, and J. Vigil had narcotics in those lockers. Myself and Ms. Tweed proceeded to El Paso Cottage where J. Vigil's locker was located. Mr. Vigil's locker was blue in color and labeled with his name on it. See EXHIBIT B.

I was later advised by Ms. Frances Tweed; security had cut the lock to his locker and had conducted a search on it. Ms. Tweed advised me that approximately eleven (11) Hydrocodone pills were located in a "Centrum" vitamin bottle and two (2) more Hydrocodone were located in another container inside of J. Vigil's locker. See EXHIBITS C & D. Ms. Tweed stated she had researched the pill's descriptors and found it to be Hydrocodone. Upon information and belief, Hydrocodone is a scheduled narcotic. JAC

Upon information from BHI Director Troy Jones, Mr. Vigil has authority to assist in the distribution of medication to patients; however he does not have authority to possess the drugs.


Affiant is aware through investigation that the above listed items are possibly located inside of J. Vigil's work locker.


Therefore, in order to ensure a complete and thorough investigation, investigators may be required to examine the entire, above-mentioned residence.

Therefore, Affiant respectfully requests that the Court issue a Warrant commanding the search the above-described premises, vehicle(s) and/or person(s).


Under Sheriff Anthony Madrid SM-2

Subscribed and sworn to or declared and affirmed to before me in the above named
county of the State of New Mexico this 26th day of June,
2015.


Judge, Notary or Other
Officer Authorized to
Administer Oaths

 6/26/15, 10:41 A.M.
Approved as to legal sufficiency